

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Delmar Deshion Jackson,

Petitioner,

v.

W. Holzapfel, Warden of FCI Butner Low and
Susan Giddings, Assistant Director of Unit
Management,

Respondents.

C/A No. 1:23-cv-3149-JFA-TER

ORDER

Delmar Deshion Jackson (“Petitioner”), proceeding pro se, filed this petition for habeas corpus pursuant to 28 U.S.C. § 2241. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for initial review.

After performing an initial review, the Magistrate Judge assigned to this action¹ issued a thorough Report and Recommendation (“Report”). (ECF No. 4). Within the Report, the Magistrate Judge opines that this action should be transferred to the Eastern District of North Carolina, where Petitioner is housed. The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

Petitioner was advised of his right to object to the Report, which was entered on the docket on July 13, 2023. *Id.* The Magistrate Judge required Petitioner to file objections by July 27, 2023. *Id.* Petitioner failed to file objections. Thus, this matter is ripe for review.

A district court is only required to conduct a *de novo* review of the specific portions of the

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976).

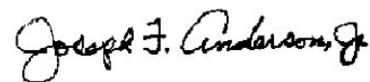
Magistrate Judge's Report to which an objection is made. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Here, Petitioner has failed to raise any objections and therefore this Court is not required to give an explanation for adopting the recommendation. A review of the Report indicates that the Magistrate Judge correctly concluded that his action should be transferred to the Eastern District of North Carolina.

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein by reference. (ECF No. 4). Therefore, this case is transferred to the United States District Court for the Eastern District of North Carolina.

IT IS SO ORDERED.

August 18, 2023
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge